

## **REMARKS**

Applicant's counsel thanks the Examiner for the courtesy extending during the interviews of June 15, 2006, and July 25, 2006.

Applicant respectfully transverses the 35 U.S.C. § 103(a) rejection of claims 1-5; and 7-12 over Wossner in view of Ban.

In the exhaust system of the present invention, a primary exhaust emission control unit includes a catalyst, an exhaust passage is divided into a first passage provided with a primary exhaust emission control unit, having a first inlet and a first outlet, defining a first flowpath having an upstream end and a downstream end, and a cut-off valve downstream of the catalyst, and a second passage provided with a first exhaust heat collecting device including a thermoelectric element, and having a second inlet and a second outlet, with an outlet door in the second outlet, downstream of the cut-off valve. A controller controls the cut-off valve. In response to a signal from the controller, the cut-off valve either opens to allow exhaust gas to flow through the first passage, or closes to allow the exhaust gas to flow through the second passage. The signal to open or shut the cut-off valve is sent based on a temperature in the catalyst.

Applicant has amended claim 1 to reflect the above features of the invention. Applicant also has amended claim 6 to be an independent claim, since the Examiner stated that claim 6 recites allowable subject matter. Applicant further has added new claims 13-17 to round out the coverage to which he is entitled.

Neither Wossner nor Ban disclose or suggest the above-described configuration of an exhaust system, whether viewed alone or in combination, and hence do not render the claimed invention obvious under 35 U.S.C. § 103(a).


In view of the above amendments and remarks, Applicant requests favorable reconsideration and allowance of claims 1-12 and new claims 13-17.

If there are any fees due in connection with the filing of this response, please charge the fees to Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our deposit account.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 7, 2006

By:   
#27,580 per  
James W. Edmondson  
Reg. No. 33,871